

NA

21EXP05



RITE OF PASSAGE

FACSIMILE

To: Fayette County – Auditor's Office

From: Lorie Fox – Accounts Receivable

Fax: 765) 827-4936

Pages: 8

Phone:

Date: 10/1/07

Re: Payments for Fayette County, DCFS

☒ **Urgent** ☐ *For Review* ☐ *Please Comment* ☐ *Please Reply* ☐ *Please Recycle*

● **Comments:**

Please see attached correspondence

Thank you,

Lorie Fox

Lorie Fox

Accounts Receivable

775) 267-9411 Ext 116

Fax 775) 267-9409



October 1, 2007

VIA FACSIMILE
765) 825-7499

Fayette County Dept. of Children Services
Attn: Sherry Barrett
3662 Western Avenue
Connsville, IN 47331

Recent checks received totaling 75% of actual debt

Thank you for your recent payments in the amount of \$31,092.51.

Rite of Passage does not consider your account paid in full. As our correspondence dated June 22, 2007 and August 8, 2007 state, we have not, and will not accept your compromise offer of 75% of the balance owed.

Please make arrangements and forward the balance of \$10,364.84 immediately.

Sincerely,

Lorie Fox
Accounts Receivable

Cc: Smith Law Office – Gary E. Smith
F: 765) 825-8884
Council President – Richie Pflum
F: 765) 827-4936
County Auditors' Office
F: 765) 827-4936

Rite of Passage, Inc.



Mitchell E. Daniels, Jr., Governor
James W. Payne, Director

Fayette County Department of Children Services

3662 WESTERN AVENUE
CONNERSVILLE, IN 47331

(765) 825 - 8732

(765) 825 - 5261

FAX: (765) 825 - 7499

www.in.gov/dcs


Child Abuse and Neglect Hotline: 800-800-5556

August 21, 2007

To Whom It May Concern:

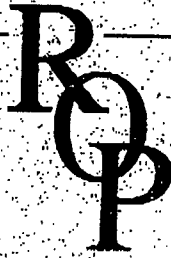
As instructed by the County Council, I am making payments to you for your 2006 bills at the rate of 75% of the actual cost, as payment in full.

If you have questions or concerns, please contact county council.


Sherry Barrett
Account Clerk



Protecting our children, families and future



August 8, 2007

Gary E. Smith, Attorney at Law
Smith Law Office
324 Central Avenue
Connersville, IN 47331

Dear Mr. Smith:

We previously submitted a response to your request concerning the indebtedness of Fayette County's Department of Family and Children (DFC) on June 22, 2007. The current debt owed to Rite of Passage (ROP) is \$41,457.35. ROP does not wish to sign a conditional release and will await full payment of monies owed.

Although this debt is currently interest free, this may change if DFC does not make progress in fulfilling this obligation.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Dilene A. Smith'.

Dilene A. Smith
Corporate Business Manager

cc. Lori Fox, Accounts Receivable

RITE OF PASSAGE

"Dedicated to Improving the Lives of Youth"

2560 BUSINESS PARKWAY • SUITE A • MINDEN • NV • 89423 • 775-267-9411 • FAX 775-267-9420 • INFO@RITEOFPASSAGE.COM

SMITH LAW OFFICE
324 Central Avenue
Connersville, Indiana 47331

Gary E. Smith
Attorney At Law
Practice Limited to Civil Law

Telephone: 765-825-8541
Facsimile: 765-825-8884
Email: smithlawoffice@
internetmyway.com

August 7, 2007

Rite of Passage
2560 Business Parkway
Suite B
Minden, NV 89423

Re: Fayette County Department of Family & Children

Attention: Accounts Receivable Department

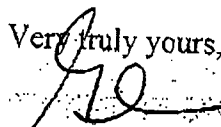
As Counsel for the Fayette County Council, in an attempt to avoid further delay and potential litigation against Fayette County Department of Family and Children ("DFC"), I wrote you on June 14, 2007 asking that you consider a compromise offer made by the Fayette County Council to pay 75%, in full payment, for services rendered to DFC for the year 2006. We have received correspondence or a notice from you declining the Council's aforesaid offer.

Even though the Fayette County Council is not a party to the contractual services you provided, the Council has moved forward with the aforesaid compromise offer and has arranged for Fayette County to borrow the money with which to pay the outstanding 2006 DFC's debts, albeit at a reduced rate. Thusly, we are presently in the process of writing checks to those providers who accepted the Council's compromise offer.

We respectfully ask that you please reconsider our offer, which is extended hereby. Records indicate that DFC may owe you \$41,457.35 for 2006 services. The Council has arranged to pay to you \$31,093.01, promptly, in full settlement of your 2006 account receivable due from DFC.

If acceptable, please sign the enclosed Conditional Release and return it to me. If we do not hear from you favorably within ten (10) days, the Council's offer will automatically, and without further notice, expire.

Very truly yours,


Gary E. Smith
Attorney at Law

GES/sn
Enclosure



June 22, 2007

Gary E. Smith, Attorney at Law
Smith Law Office
324 Central Avenue
Connersville, IN 47331

Dear Mr. Smith:

We have received your notice concerning the indebtedness of Fayette County's Department of Family and Children (DFC). The current debt owed to Rite of Passage (ROP) is \$41,457.35. ROP does not wish to sign a conditional release and will await full payment of monies owed.

Although this debt is currently interest free, this may change if DFC does not make progress in fulfilling this obligation.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Dilene A. Smith', is written over a horizontal line.

Dilene A. Smith
Corporate Business Manager

cc. Lori Fox, Accounts Receivable

RITE OF PASSAGE

"Dedicated to Improving the Lives of Youth"

2560 BUSINESS PARKWAY • SUITE A • MINDEN • NV • 89423 • 775-267-9411 • FAX 775-267-9420 • INFO@RITEOFPASSAGE.COM

SMITH LAW OFFICE
324 Central Avenue
Connersville, Indiana 47331

Gary E. Smith
Attorney At Law
Practice Limited to Civil Law

June 14, 2007

Telephone: 765-825-8541
Facsimile: 765-825-8884
Email: smithlawoffice@internetmyway.com

Rite of Passage
2560 Business Parkway
Suite B
Minden, NV 89423

Re: Fayette County Department of Family & Children

Attention: Accounts Receivable Department

I represent the Fayette County Council, Fayette County, Indiana. As a part of the Council's oversight, it is concerned with the 2006 indebtednesses of the Fayette County Department of Family and Children ("DFC").

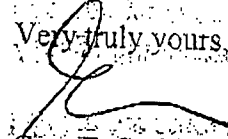
Records indicate that, for the year 2006 and prior years, there may be an outstanding balance that is owed your organization by the DFC for services rendered to, or for, the DFC in the amount of \$41,457.35.

Along with many other Midwestern communities, Fayette County is suffering from loss of employment and loss of tax revenues. The DFC is (currently) operating in arrears; yet, there are outstanding balances for 2006 services rendered by all providers to the DFC that exceed One Million Dollars (\$1,000,000.00). Fayette County does not have the resources to pay the outstanding balances nor does DFC. As a result, Fayette County is attempting to borrow money with which to pay a portion of DFC's aforesaid 2006 outstanding indebtednesses. The Council has indicated that it will attempt to pay, and is requesting that you accept, seventy-five (75%) of the aforesaid amount as full payment of the services provided for 2006 and theretofore.

If this is acceptable to you, please execute the enclosed Conditional Release for the aforesaid 75% and return the Conditional Release to me in the enclosed envelope. Within approximately thirty (30) days of the receipt of the Conditional Release, the Council plans to issue a check for the said 75% in full payment of your entity's services rendered in 2006 and theretofore.

Please call me if you have any questions.

Very truly yours,


Gary E. Smith
Attorney at Law

GES/sn
Enclosure

CONDITIONAL RELEASE

For and in consideration of the payment of the sum of \$31,093.01 from the civil County of Fayette, Indiana, Rite of Passage shall (upon receipt of said payment) automatically release the said Fayette County and its Fayette County Department of Family and Children from any further debt, liability, or obligation relating to the undersigned's services provided to, and for, the said County and its said Department of Family and Children for the year 2006 and all prior years.

Proof of payment of the aforesaid sum by the County, and this executed Release, shall be admissible in evidence in any Court of competent jurisdiction to prove the contents hereof.

Name of Organization(s)

By: _____

Date: _____, 2007

Title

STATE OF _____)

)SS:

COUNTY OF _____)

Subscribed and sworn to before me, a Notary Public, in and for said County and State, this ____ day of _____, 2007, by _____.

My Commission Expires: _____

_____, Notary Public
Resident of _____ County, _____

NO
J. J. Howell